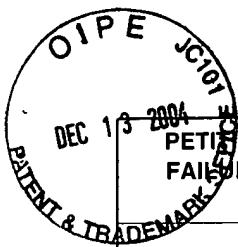


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PTO/SB/64a (11-03)

Approved for use through 7/31/2006. OMB 0951-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction ACT of 1995, no persons are required to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED FOR
FAILURE TO NOTIFY THE OFFICE OF A FOREIGN OR INTERNATIONAL FILING
(37 CFR 1.137(f))**

Docket Number (Optional)

4501 P

First named inventor: **Dobson, W. Kurt**

Application No.: **10/670,708**

Art Unit: **2631**

Filed: **09/24/2003**

Examiner: **n/a**

Title: **MATCHED FILTER FOR SCALABLE SPREAD SPECTRUM COMMUNICATIONS SYSTEMS**

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).

PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION
UNDER 37 CFR 1.137(b)

1. Petition fee

☒ Small entity-fee \$ **750.00** (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity-fee \$ _____ (37 CFR 1.17(m))

2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))

Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after filing. The filing date of the subsequently-filed foreign or international application is **24 September 2004**.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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12/16/2004 AWONDAF1 00000015 192814 10670708

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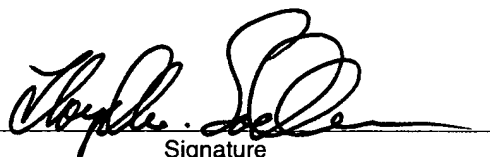
STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

[NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

13 December 2004

Date


SignatureTelephone
Number:

801-257-1960

Lloyd W. Sadler

Typed or printed name

15 West South Temple, Suite 1200

Address

Salt Lake City, Utah 84101, U.S.A.

Enclosures: ☒ Fee Payment - Deposit Account No. 19-2814☐ Additional sheets containing statements establishing unintentional delay☐ Other

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.9(a)]

1.10

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as ~~first class~~ ^{express} mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. *Ex Mailing Label: ED 269982547 US*☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

Date


Signature

Lloyd W. Sadler

Type or print name of person signing certificate



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS: Dobson et al.

APPLICATION S/N: 10/670,708

ASSIGNEE: Spectrum5, Inc.

FILING DATE: 09/24/2003

TITLE: MATCHED FILTER FOR SCALABLE SPREAD
SPECTRUM COMMUNICATIONS SYSTEMS

GROUP ART UNIT: 2631

ATTORNEY DOCKET NO.: 4501 P

EXAMINER: n/a

CONFIRMATION NUMBER: 6129

Mail Stop: PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

Honorable Commissioner:

I hereby certify that the attached paper of fee (Petition for Revival and fee, Rescission of Request for NonPublication and a Notice of Filing of Invention in 18-Month Publication Jurisdiction) is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee," Express Mail Mailing Label Number ED 269982547US, (under 37 C.F.R. § 1.10) on this 13th day of December, 2004 with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Mail Stop: PETITION.

Signature of registered practitioner or other person having a reasonable basis to expect mailing to occur on the date of deposit shown pursuant to 37 C.F.R. § 1.8(a) or person actually making deposit pursuant to 37 C.F.R. § 1.10(b).

Lloyd W. Sadler, Reg. No. 40,154

Name of person whose signature is given above